

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically at the time and date indicated, which may be materially different from its entry on the record.



Dated: 04:30 PM January 15, 2019



Russ Kendig
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

**RE: Kenneth Polke
Valerie Polke**

CASE NUMBER

18-42458

CHAPTER 13 ORDER OF DISMISSAL

- ☒ The debtor filed a request in accordance with 11 U.S.C. § 1307(b) to dismiss this case; the case has not been converted previously under 11 U.S.C. § 706, 1112 or 1208.
- ☐ A party in interest filed a motion in accordance with 11 U.S.C. § 1307(c) to dismiss this case; the Court finds, after notice and a hearing, that the motion should be granted.
- ☐ The Standing Chapter 13 Trustee filed an affidavit that the debtor failed to comply with the terms of an agreed order with respect to the debtor's chapter 13 plan.

IT IS ORDERED THAT: This chapter 13 case is hereby **DISMISSED**.

NOTICE TO DEBTOR'S COUNSEL AND ADMINISTRATIVE CLAIMANTS

If a case is dismissed prior to confirmation of a chapter 13 plan, any party asserting an administrative expense claim pursuant to 11 U.S.C. § 503(b) – including debtor's counsel for attorney fees – shall (i) file a motion setting forth the basis for its claim; and (ii) serve the Standing Chapter 13 Trustee and the debtor within (14) days after entry of dismissal. The motion shall be noticed in conformance with Federal Rule of Bankruptcy Procedure 2002 and shall state when objections are due. A motion requesting attorney fees shall set forth, at a minimum, as to each service for which a fee is requested: (i) the identity of the person performing the service; (ii) the billing rate for such person; (iii) the service performed; (iv) the date of the service; and (v) the amount of time expended.

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